Applicant: Michael B. Propp et al. Attorney's Docket No.: 09539-011001

Serial No.: 09/837,760 Filed: April 17, 2001

Page : 6 of 6

## **REMARKS**

This application has been carefully reviewed in light of the Office Action dated July 25, 2006. Claims 8 and 9 have been cancelled herein, without prejudice or disclaimer of subject matter. Claims 4 to 7, 11, 12, 14, 16, and 18 to 23 remain in the application. Claims 4, 18 and 22 are the independent claims. Reconsideration and further examination are respectfully requested.

Initially, the Examiner's indication that claims 4 to 7, 11, 12, 14, 16, and 18 to 23 are allowed is acknowledged with appreciation. It is respectfully requested that each of these claims pass to issue.

Claims 8 and 9 were rejected under 35 U.S.C. § 112, ¶ 1, for allegedly failing to comply with the enablement requirement, and under 35 U.S.C. § 112, ¶ 2, for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As indicated above, claims 8 and 9 have been cancelled herein, without prejudice or disclaimer of subject matter, and without conceding the correctness of the associated rejections. Withdrawal of the rejections, as moot, is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance and such action is courteously solicited.

The fee for the three month extension of time (\$510) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. No other fees are believed due. Nonetheless, please apply any other charges or credits to Deposit Account No. 06-1050.

Date: JANUAR-, 23,2007

David E. A. Jordan Reg. No. 50,325

Respectfully submitted,

Fish & Richardson P.C. 1425 K Street, N.W.

11th Floor

Washington, DC 20005-3500 Telephone: (202) 783-5070 Facsimile: (202) 783-2331

40393592.doc